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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,892	03/31/2004	Moshe Boosy	BOOSY-08803	9061

7590 10/13/2006

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EXAMINER

WATSON, ROBERT C

ART UNIT	PAPER NUMBER
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3723

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/815,892

Applicant(s)

BOOSY, MOSHE

Examiner

Robert C. Watson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-26 is/are pending in the application.
- 4a) Of the above claim(s) 10-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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The affidavits under 37 CFR 1.132 filed 9/5/06 is sufficient to overcome the rejection of claims 1, 3-9, and 26 based upon insufficiency of disclosure under 35USC112, first paragraph.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-9, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kauffman et al in view of Jannett.

Kauffman et al shows vacuum table for ordering a plurality of workpieces in a particular array. The vacuum table comprises a grid of slots indicated by the framework 18. Below the grid framework 18 is a screen comprising a plurality of holes 12 wherein the holes 12 correspond respectively to the slots of the grid. The screen is made of a rigid material. Below the screen is a vacuum tank. The grid, screen, and the tank are aligned by the permanent attachment of the grid, screen, and tank. Kauffman et al does not go into detail as to how the vacuum is created in the vacuum table.

Jannett teaches that a vacuum pump may be connected to the outlet of the tank of a vacuum table in order to provide negative pressure for the vacuum table tank. To provide an outlet on the tank of the vacuum table of Kauffman et al would have been obvious for one skilled in the art at the time the invention was made in view of the disclosure of Jannett. One of ordinary skill in the art would have been motivated

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to do this in order to provide a simple means of creating a negative pressure in the tank of the vacuum table. Regarding claim 4, the type of vacuum pump employed is no more than an obvious matter of design choice absent a showing of criticality for this feature. The examiner takes Official Notice that vacuum pumps of the rotary vane type are well known. To employ a rotary vane vacuum pump in Kauffman et al would have been obvious inasmuch as this is a readily available type of vacuum pump. Further, the amount of negative pressure supplied by the vacuum pump is no more than an obvious matter of design choice absent a showing of criticality for this feature. One skilled in the art would have been motivated to select a negative pressure that is commensurate with the size and weight of the workpieces being gripped.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuffman et al in view of Jannett supra and further in view of Hillier.

Hillier teaches that a custom plate 14 can be used to plug selective holes of the vacuum screen. To employ a custom plate in Kuffman et al in view of Jannett supra to plug selective holes of the vacuum screen would have been obvious for one skilled in the art at the time the invention was made in view of the disclosure of Hillier. One of ordinary skill in the art would have been motivated to do this in order to assure that vacuum holes directly connected to a workpiece surface are operable.

Claims 10-25 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 9/28/05.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert C. Watson whose telephone number is 571 272-4498. The examiner can normally be reached on Mon. - Thurs. , 5:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail III can be reached on 571 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

rcw


ROBERT C. WATSON
PRIMARY EXAMINER